

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

FEB 27 2008

JOHN F. CORCORAN, CLERK
BY: *S. Taylor*
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DELMAR LOUIS SMITH,
Plaintiff,

)
) Civil Action No. 7:08-cv-00194
)

v.

) **FINAL ORDER**
)

GERALD MCPEAK, et. al.,
Defendant(s).

) By: Hon. James C. Turk
) Senior United States District Judge

In accordance with the Memorandum Opinion entered this day, it is hereby

ADJUDGED and ORDERED

that this action shall be and hereby is **DISMISSED** without prejudice, pursuant to 28 U.S.C.
§1915A(b)(1), for failure to state a claim, and is stricken from the active docket of the court.

The Clerk is directed to send copies of this order and the accompanying memorandum
opinion to plaintiff.

ENTER: This 27th day of February, 2008.

James C. Turk

Senior United States District Judge